

### **REMARKS**

Applicant respectfully requests reconsideration. Claims 1-12, 14-23 and 27-30 were previously pending in this application. By this amendment, Applicant is canceling claims 21-23 and 27-30 without prejudice or disclaimer. Claims 1 and 11 have been amended. New claims 31-36 have been added. As a result, claims 1-12, 14-20, and 31-36 are pending for examination with claims 1, 11, and 31 being independent claims. No new matter has been added.

#### **I. Allowable Subject Matter**

The Office Action indicates that claims 5 and 15 contain allowable subject matter and would be allowable if rewritten in independent form. Claim 31 is added herein to include the subject matter of previously-pending claim 5 and the claims from which claim 5 depends. Accordingly, claim 31 is believed to be allowable. New claims 32-36 depend from claim 31 and are believed to be allowable for at least the same reasons.

#### **II. Claim Objections**

Claim 11 was objected to for containing informalities. Claim 11 has been amended herein to address the Office Action concerns.

Withdrawal of the objection to claim 11 is respectfully requested.

#### **III. Claim Rejections under 35 U.S.C. §103**

Independent claim 1 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,904,466 ("Ishiyama") in view of U.S. Patent No. 7,116,654 ("Kim"). Independent claim 9 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over Ishiyama in view of Kim in view of U.S. Patent No. 6,434,627 ("Millet"). Dependent claims were rejected over a combination of Ishiyama and Kim alone or in combination with Millet and/or other references.

Applicants respectfully disagree.

A. Claims 1-10

Independent claim 1 is directed to a method for facilitating maintaining connectivity between a mobile node and a correspondent node after the mobile node changes a first address to a second address. The method comprises receiving, at the mobile node while at the second address, a communication from the correspondent node that indicates that a destination of the communication is the second address. The method further comprises “replacing the destination address of the communication with the first address such that the destination of the communication is the first address” and “following the replacing, making the communication available to a client program executing on the mobile node.”

No modification of Ishiyama based on Kim teaches or suggests all limitations of claim 1. For example, neither Ishiyama nor Kim describes—and thus no modification of Ishiyama based on Kim would describe—a method comprising steps of “*replacing the destination address of the communication with the first address* such that the destination of the communication is the first address.”

Ishiyama describes techniques for enabling “easy change of a connected location of a mobile computer ... when the mobile computer leaves its home network” (Ishiyama, Abstract). Each mobile node, using Ishiyama’s techniques, has a home address and, when outside a home network, a care-of address (Ishiyama, col. 7, lines 61-67). When a mobile computer obtains a new address (a new “care-of address” (CoA)), using Ishiyama’s techniques the new address is passed to a correspondent node and/or to a DNS server (Col. 6, lines 13-39). A correspondent node seeking to communicate with the mobile node would assemble a data packet using the home address and encapsulate that packet in an outer packet having the mobile node’s current address (Col. 6, lines 4-12). The outer packet is then transmitted with the care-of address as the destination address, and received by IPsec components on the mobile node (Col. 6, lines 48-57). The IPsec components remove the inner packet with the original, home address and make it available to applications on the mobile node (Col. 12, lines 37-41).

Kim describes techniques for routing packets in a mobile IP system using home agents (Kim, Abstract). Using the home agent, all communications bound for a mobile host are transmitted to the home agent and then tunneled to the mobile host (Col. 5, lines 52-56). During

the tunneling process, a packet addressed to the home address of the mobile host is encapsulated in another packet with the care-of address for the mobile host (Col. 5, lines 52-56). When the outer packet is received at a foreign network to which the mobile host is attached, the packet is de-tunneled by the “the foreign network” and transmitted to the mobile host (Col. 5, lines 57-58).

Thus, while both references teach that it may be useful for a change of address to be “transparent to the application layers” of the hosts (Kim, col. 6, lines 58-59), both references teach techniques for assembling a packet with a home address and encapsulating that packet in an outer packet that uses a care-of address. Using these encapsulation techniques, a portion of a received packet is *removed* upon receipt (i.e., the encapsulation header), but no portion is *replaced*. Accordingly, as neither Ishiyama nor Kim describes “*replacing the destination address of the communication with the first address* such that the destination of the communication is the first address,” no modification of Ishiyama based on Kim would teach or suggest this limitation of claim 1.

Therefore, for at least these reasons, claim 1 patentably distinguishes any combination of Ishiyama and Kim and is allowable. Claims 2-10 depend from claim 1 and are allowable for at least the same reasons. Withdrawal of these rejections is respectfully requested.

**B. Claims 11-12 and 14-20**

Independent claim 11 is directed to a computer-readable medium including computer-executable instructions for facilitating maintaining connectivity between a mobile node and a correspondent node after the mobile node changes addresses from a first address to a second address and the correspondent node changes from a third address to a fourth address. For the instructions, the second address is different than the first address and the third address is different than the fourth address. The computer-executable instructions facilitate “creating *a connection* to the correspondent node and communicating from the mobile node to the correspondent node *over the connection, while the mobile node is at the first address and the correspondent node is at the third address,*” “receiving from the authoritative name server an indication that the correspondent node is at the fourth address” and “communicating from the mobile node to the

correspondent node over *the connection, while the mobile node is at the second address and the correspondent node is at the fourth address*" (emphasis added).

In rejecting claim 11, the Office Action concedes that neither Ishiyama nor Kim teaches or suggests "two mobile nodes corresponding," or the acts of "receiving" and "communicating" recited by claim 11 (Office Action, page 23). Instead, the Office Action alleges that Millet discloses these limitations of claim 11, and asserts that it would have been obvious for one of ordinary skill in the art to modify Ishiyama and Kim based on the alleged teachings of Millet (Office Action, page 23).

Without conceding that one of ordinary skill in the art would have or could have modified Ishiyama and Kim based on Millet, Applicants respectfully disagree that Millet teaches or suggests the acts of "receiving" and "communicating."

Millet describes a gateway of a network able to determine whether a device connected to the network of the gateway is a "visiting node" that is properly configured for a different network and improperly configured for the network of the gateway (Millet, Abstract; col. 3, lines 16-20). Millet describes that computers that are typically connected to a home or office network may be configured to communicate on that network, but when taken to a remote network, such as at a hotel, the computer may be improperly configured for the remote network and will not be able to connect or communicate (Col. 1, line 59, to col. 2, line 4). Typically, the user would be forced to reconfigure the computer, which could be difficult for some users and would further necessitate restoring the configuration when returning to the home/office network (Col. 2, lines 5-65). Millet's gateway, though, solves this problem by establishing a "virtual gateway" for the visiting node that enables the visiting node to communicate using the existing configuration of the visiting node (Col. 3, lines 15-35).

The passage of Millet cited by the Office Action in rejecting claim 11 describes operations of a "flexible address translation" system that helps in establishing the virtual gateway (Millet, col. 12, line 66, to col. 13, line 62). The visiting node in this example is configured with static IP parameters, including a static IP address, that are not consistent with the configuration of the network of the translation system (Col. 13, lines 1-10 and lines 34-44). The translation system of Millet detects when the visiting node exchanges packets with a corresponding node

using these static parameters and performs a translation process on those packets to ensure they can be properly received by the correspondent node (Col. 13, line 63, to col. 14, line 3). Further, if the translation system detects a DNS query intended for the DNS name server of the visiting node, then the translation system will redirect that DNS query to a local DNS server (Col. 14, lines 4-17).

Millet describes that a virtual gateway may be used to enable communication for a mobile node to another, correspondent node. While Millet describes that the mobile node moves, though, Millet does not describe that the correspondent node may move. Further, Millet does not describe anything about either the mobile node and the correspondent node moving while a connection is established.

Claim 11 recites “receiving from the authoritative name server an indication that the correspondent node is at the fourth address.” As Millet describes only one node moving and does not describe that a second, correspondent node may move, Millet cannot teach or suggest the act of receiving an indication that a correspondent node is at the fourth address (after it had been at a third address).

Claim 11 also recites “creating a connection,” “communicating ... over the connection, while the mobile node is at the first address and the correspondent node is at the third address,” and “communicating ... over the connection, while the mobile node is at the second address and the correspondent node is at the fourth address.” As Millet does not describe that any nodes may establish a connection, move to a new location, and communicate over the connection at the new location, Millet cannot teach or suggest these acts recited by claim 11.

As the Office Action concedes that Ishiyama and Kim do not teach or suggest these limitations of claim 11, and Millet does not teach or suggest these acts, no modification of Ishiyama and Kim based on Millet would teach or suggest these limitations.

Therefore, for at least these reasons, claim 11 patentably distinguishes any combination of Ishiyama, Kim, and Millet and is allowable. Claims 12 and 14-20 depend from claim 11 and are allowable for at least the same reasons. Withdrawal of these rejections is respectfully requested.

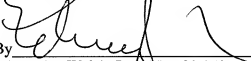
**CONCLUSION**

In view of the above amendment, Applicant believes the pending application is in condition for allowance. A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed, or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. M1103.70179US00 from which the undersigned is authorized to draw.

Dated: Jan 19, 2010

Respectfully submitted,

  
By \_\_\_\_\_

Edmund J. Walsh, Reg. No.: 32,950  
Andrew J. Tibbetts, Reg. No.: 65,139  
WOLF, GREENFIELD & SACKS, P.C.  
Federal Reserve Plaza  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
617.646.8000